

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID LEON LOFTIN,

CV. 07-677-PA

Petitioner,

ORDER TO DISMISS

v.

BERNIE GIUSTO,

Respondent.

PANNER, District Judge.

On August 17, 2007, the court issued an Order advising petitioner of the exhaustion requirement in 28 U.S.C. § 2254 habeas corpus proceedings. The court ordered him to show cause why his Petition should not be dismissed based for lack of proper exhaustion. In its Order to Show Cause, the court noted that although petitioner alleged that the state corrective process was ineffective to protect his rights, he failed to elaborate as to exactly why the state process was deficient.

Despite the court's Order to Show Cause, petitioner fails to identify why the state corrective process is ineffective to address

his claims of constitutional violation. Because petitioner has not satisfied the court's Order to Show Cause, this case is DISMISSED with leave to re-file once he has fairly presented his issues to the Oregon state courts. See Rule 4, Rules Governing Section 2254 Cases (permitting summary dismissal).

IT IS SO ORDERED.

DATED this 1 day of ^{Oct}September, 2007.


Owen M. Panner
United States District Judge